

504827

CUSTOMER NUMBER↑

Docket No. 1004286.827US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/743,444 Confirmation No.: 7680
Applicant(s): Maurice MILGRAM Group Art Unit: 2624
Filed: December 19, 2003 Examiner: Claire WANG
For: METHOD OF DETECTING BENDS ON A ROAD AND SYSTEM
IMPLEMENTING SAME

**REQUEST FOR RECONSIDERATION OF DECEMBER 19, 2003
PETITION TO ACCEPT COLOR PHOTOGRAPHS
PURSUANT TO 37 C.F.R. 1.84(B)(2)**

VIA EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to July 10, 2009 Decision on Petition ("Decision") regarding acceptance of color drawings, Applicants hereby request reconsideration of the December 19, 2003 Petition ("Petition") and, more specifically, that the color drawings identified in Figures 1, 2, 4a, 4b, 5a, 5b, 6a and 6b be accepted in lieu of black and white drawings. To the extent it may be deemed necessary, Applicants incorporate by reference the text of the Petition.

The Decision invited a request for reconsideration by providing three (3) copies of the color drawings. The Decision indicated that the petition was denied because the petition allegedly was filed without three complete sets of color drawings of figures "1a, 1b, 1c, 1d, 4a, 4b, 5, 6a and 6b." The Decision's identification of figures differs with what Applicants understand to be the correct numbering. As filed on December 19, 2003, the figures were numbered 1, 2, 3, 4a, 4b, 4c, 5a, 5b, 5c, 6a, 6b, 6c and 7. Of these, Figures 1, 2, 4a, 4b, 5a, 5b, 6a and 6b are desired to be color.

As requested, Applicants submit herewith three (3) sets of the following four (4) drawing sheets:

- Three (3) copies of a drawing sheet containing Figures 1-3, with Figures 1 and 2 in color and Figure 3 in black and white;

- Three (3) copies of a drawing sheet containing Figures 4a-4c, with Figures 4a and 4b in color, and Figure 4c in black and white;
- Three (3) copies of a drawing sheet containing Figures 5a-5c, with Figures 5a and 5b in color, and Figure 5c in black and white; and
- Three (3) copies of a drawing sheet containing Figures 6a-6c, with Figures 6a and 6b in color, and Figure 6c in black and white.

Applicants also submit a single black and white copy of the same four (4) drawing sheets.

Applicants are *not* submitting herewith another copy of the Petition. Applicants previously submitted that paper, and Applicants understand that additional copies are not being requested at this time.

Applicants respectfully request reconsideration of the petition and issuance of this patent with the color figures submitted herewith. If there are any questions concerning this request for reconsideration, the Patent Office should contact the undersigned.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of the Petition to Deposit Account No. 504827, Order No. 1948-4830 (1004286-827US).

Respectfully submitted,
Locke Lord Bissell & Liddell LLP

Dated: September 2, 2009

By:



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Respectfully submitted,
Locke Lord Bissell & Liddell LLP

Dated: September 2, 2009

By:



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DIRECTOR'S OFFICE
TECHNOLOGY CENTER 2600

In re Application of
Maurice Milgram *et al.*
Serial No.: 10/743,444
Filed: December 19, 2003
For: METHOD OF DETECTING BENDS ON A ROAD
AND SYSTEM IMPLEMENTING SAME

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DECISION ON PETITION
ACCEPTANCE OF COLOR DRAWINGS
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This is a decision on the petition under 37 CFR §1.84(a)(2) filed December 19, 2003 requesting acceptance of color drawings.

The petition requests that the color drawings identified in Figures 1a, 1b, 1c, 1d, 4a, 4b, 5, 6a, and 6b be accepted in lieu of black and white drawings.

A grantable petition under 37 C.F.R. §1.84(a)(2) must be accompanied by a fee set forth under 37 C.F.R. §1.17(h), 3 (three) sets of the color drawings in question, and the specification must contain, or be amended to contain, the following language as the first paragraph in that portion of the specification relating to the brief description of the drawings:

"The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request and payment of the necessary fee."

The petition was filed without 3 (three) complete sets of color drawings of figures, 1a, 1b, 1c, 1d, 4a, 4b, 5, 6a, and 6b.

As stated, a grantable petition must be accompanied by 3 (three) sets of the color drawings and photographs. Accordingly, the petition is **DISMISSED**.

The petitioner may submit a request for reconsideration within **TWO MONTHS** of the date of this decision. Any request for reconsideration should be complete, i.e., includes three (3) sets of color drawings, color photographs and a black and white photocopy of the same.

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